

VIA HAND DELIVERY DECEMBER 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choi, et al.

Application Serial No.: 09/925,637

Group Art Unit: 1646

Filed: August 10, 2001

Examiner: Not assigned

For: *Staphylococcus aureus*  
Polynucleotides and Polypeptides

Atty. Docket No.: PB560

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**BOX MISSING PARTS**

Commissioner For Patents  
Washington, D.C. 20231

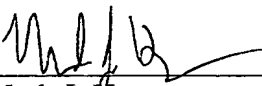
Sir:

In response to the Notice to File Missing Parts mailed October 26, 2001, submitted herewith is (1) an executed Declaration For Utility Application Using an Application Data Sheet (37 C.F.R. § 1.76) and Power of Attorney ; (2) a Fee Transmittal Sheet with appropriate fee (in duplicate); and (3) a copy of said Notice to File Missing Parts.

The Commissioner is hereby authorized to charge the required fee of \$130.00, and any other fee deemed necessary, to Deposit Account No. 08-3425, as itemized on the enclosed Fee Transmittal Sheet.

Respectfully submitted,

Dated: December 14, 2001

  
Mark J. Hyman (Reg. No. 46,789)  
Attorney for Applicants

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
Rockville, Maryland 20850  
240-314-1224 (telephone)

KKH/MJH/BM/kp



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/925,637	08/10/2001	Gil H. Choi	PB560

22195  
HUMAN GENOME SCIENCES INC  
9410 KEY WEST AVENUE  
ROCKVILLE, MD 20850

CONFIRMATION NO. 4426

## FORMALITIES LETTER



\*OC000000006974996\*

Date Mailed: 10/26/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/925637  
00000028 083425  
130.00 CH  
01 DEC 14 2001  
01 DEC 14 2001

**FEE TRANSMITTAL****for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/925,637
Filing Date	August 10, 2001
First Named Inventor	Choi
Examiner Name	To Be Assigned
Group Art Unit	1646
Attorney Docket Number	PB560

Total amount of payment

**\$130.00****METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **08-3425**Deposit Account Name **Human Genome Sciences, Inc.**

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other\*

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1) \$0.00****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**	\$18.00	
Multiple Dependent Claims	-3**	\$84.00	
		\$280.00	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
108	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) \$0.00**

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	\$130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use hearing	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
145	100	145	100	Certificate of correction	
148	110	248	55	Statutory disclaimer	
561	3	561	3	Printed copy of patent, regular service	

Other fee (specify):

Other fee (specify):

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) \$130.00****Submitted By**Name (Print/Type) **Mark J. Hyman**Registration No.: **46,789**

Complete (if applicable)

Telephone **240-314-1224**Signature: Date: **December 14, 2001**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.